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10/663,842	09/17/2003	Yoshio Tamura	Q77455	2851
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EXAMINER				
AN, IG TAI				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/663,842

## Applicant(s)

TAMURA ET AL.

## Examiner

IG TAI AN

## Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-21 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date 9/17/2003  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This communication is a First Office Action Non- Final Rejection on the merits.

Claims 1 - 21 are currently pending and have been considered below.

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 - 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 3, 5, 9, 11, 15, 17, 18, and 20 recites the limitation "said/the model".

There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the basis" in line 16 in claim 1. There is insufficient antecedent basis for this limitation in the claim.

Claims 2, 4, and 6 – 8 depends from Claim 1. Therefore, they carry same deficiency.

Claims 10, 12, 13 – 14, and 16 depends from Claim 9. Therefore, they carry same deficiency.

Claims 19 and 21 depends from Claim 17. Therefore, they carry same deficiency.

Appropriated correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 5 - 7, 9, 13 - 15, 17, and 20 - 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsukishima et al. (hereinafter Tsukishima) (US 6647304).**

**As per Claims 1, 9, and 17,** Tsukishima discloses systems and method for selling electronic equipment brought into a shop as used electronic equipment (See column 24 lines 48 – 60; via when selling used electronics), said system comprising:

a function check circuit provided in said electronic equipment, said function check circuit checking whether said electronic equipment operates normally (See column 25 line 66 - column 26 line 4; via providing fault diagnostic function);

a data input-output device for sending and receiving product data of said electronic equipment, said data input-output device sending said product data including a model code read from said electronic equipment to a manufacturer of said electronic equipment when said electronic equipment operates normally (See column 4 lines 5 – 33; via data input/out system such as tech screen panel and display which sends the

product data such as product number to the manufacturer's information/service provision station); and

a model search device for identifying the model of said electronic equipment on the basis of said product data, and said manufacturer sending a part corresponding to identified said model to said shop (See column 4 line 34 – column 5 lines 17; via manufacturers receive the product data from the customer/shop, search the product and send customers/shop part or provide customers/shop to access the product related information such as operation manual).

**As per Claims 5, 13 and 20**, Tsukishima discloses wherein said part is an operation manual corresponding to identified said model shop (See column 4 line 34 – column 5 lines 17; via manufacturers receive the product data from the customer/shop and send customers/shop part or provide customers/shop to access the product related information such as operation manual).

**As per Claims 6, 14, and 21**, Tsukishima discloses wherein said product data includes used time information of said electronic equipment, and said operation manual describes a warranty according to said used time information (See column 4 line 34 – column 5 lines 17; via the manufacture/seller can send product information such as maintenance information, attention information or warranty information with the operating manual to the customer).

**As per Claims 7, and 15,** Tsukishima discloses wherein said product data includes used time information of said electronic equipment, and said part includes an operation manual corresponding to identified said model and a document describing a warranty according to said used time information (See column 4 line 34 – column 5 lines 17; via the manufacture/seller can send product information such as maintenance information, attention information or warranty information with the operating manual to the customer).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. **Claims 2 - 4, 10 - 12 and 18 - 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukishima in view of LaFata et al. (hereinafter LaFata) (US 5603201).**

**As per Claims 2, and 10,** Tsukishima discloses all the elements of the claimed invention but is silent regarding wherein said part is a packing box for packing.

LaFata discloses a packaging system having wherein said part is a packing box for packing (See column 1 line 6 - 10; via packing a product in a box).

Therefore, from this teaching of LaFata, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify product management method and system of Tsukishima to include packing box as taught by LaFata to prevent damage on the product.

**As per Claims 3, 11, and 18,** Tsukishima discloses all the elements of the claimed invention but is silent regarding wherein model information of identified said model is printed on said packing box.

LaFata discloses a packaging system having wherein model information of identified said model is printed on said packing box (See column 1 lines 26 - 32; via product information is printed on the box).

Therefore, from this teaching of LaFata, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify product management method and system of Tsukishima to include packing box with product description on the box as taught by LaFata to easily identify the product in the box.

**As per Claims 4, 12, and 19**, Tsukishima discloses all the elements of the claimed invention but is silent regarding wherein said product data includes used time information of said electronic equipment, and said used time information is printed on said packing box.

LaFata discloses a packaging system having wherein said product data includes used time information of said electronic equipment, and said used time information is printed on said packing box (See column 6 line 59 – 67; via warranty information and many other product related information is printed on the packing box. The Examiner construes that since the box is printed with product related information such as product specification, it is obvious to include used time information of the used product).

Therefore, from this teaching of LaFata, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify product management method and system of Tsukishima to include packing box with product description such as used time information on the box as taught by LaFata to easily identify the product and information related to the product in the box.

**8. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukishima in view of Hadjigeorgis (US20020152118).**

**As per Claims 8 and 16**, Tsukishima discloses all the elements of the claimed invention but is silent regarding wherein said electronic equipment is a digital camera.



Hadjigeorgis discloses a point of sale rebate award system having wherein said electronic equipment is a digital camera (See paragraph 38; via digital camera sale).

Therefore, from this teaching of Hadjigeorgis, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify product management method and system of Tsukishima to include digital camera sale as taught by Hadjigeorgis to earn profit from the sale.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawakatsu (US20010039517) discloses Method for selling product and product sales system.

Cherrington et al. (US 6070155) discloses integrated automated analysis and repair.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IG TAI AN whose telephone number is (571)270-5110. The examiner can normally be reached on Monday - Thursday from 9:30 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ITA